

itself. It is heartening to see a civil servant who has exhibited such a love for his work and for the agency for which he works.

The National Park Service administers many of our Nation's greatest natural and historical resources. We in West Virginia are blessed to have some of these resources within our borders and I am proud of the work of the National Park Service in preserving and interpreting these resources for the benefit of present and future generations. This work is made possible because of the efforts of people like Denis Galvin.

On Thursday, December 13, 2001 Denny is being honored by his friends and colleagues at a retirement dinner. I join Denny's many friends and colleagues in saluting him for all his efforts on behalf of the National Park System and wish Denny and his family the best in his retirement.

TRIBUTE TO EVANS ELEMENTARY

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2001

Mrs. CAPITO. Mr. Speaker, I rise today in honor of Evans Elementary in recognition of their achievement as an "exemplary" school.

Evans Elementary has been selected as one of the top 50 schools of West Virginia. "Exemplary" status is based on Stanford Achievement Test results, attendance, drop out rates, and writing exam scores.

I commend the leadership and faculty on their dedication to the children that walk through their doors each day. They have set an incredible example for the other 817 schools in West Virginia.

I equally commend the students and parents of Evans Elementary for their commitment to a quality education and a bright future.

Efforts to bring superior education to all of West Virginia and America are among our top priorities. Mr. Speaker, I urge my colleagues to join me in honoring Evans Elementary.

INTRODUCTION OF MILITARY TRIBUNALS LEGISLATION

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2001

Ms. HARMAN. Mr. Speaker, Today my colleague Zoe Lofgren and I are introducing legislation to authorize the President to use military tribunals to try foreign terrorists captured abroad.

Today's Washington Post details the likelihood that up to 10,000 Taliban fighters and others could be detained in Afghanistan as a conclusion to the military campaign there. The Administration's intention is to interview those who could provide information, and to prosecute the senior leadership—possibly by using several military tribunals set up pursuant to the President's November 13 military order.

This is a good strategy, and I support it.

But to execute that strategy consistent with Constitutional requirements, the use of those

tribunals needs specific authorization from Congress.

Our bill provides that authorization and, we believe, important limitations on the use of military tribunals consistent with the Administration's intent.

We hope the Administration will embrace our concepts, and that members of Congress on a bipartisan basis will join us. As attorneys, we believe our bill represents mainstream legal doctrine.

First, we authorize military tribunals to try foreign nationals in venues like military bases or aircraft carriers outside the United States. Our federal courts and courts martial operated pursuant to the Uniform Code of Military Justice are capable of trying U.S. citizens, legal residents, and others within the United States. In this regard, we applaud yesterday's news that Zacarias Moussaoui has been indicted and will be tried in Federal Court on conspiracy charges.

Second, our bill ties those who are tried by military tribunals to actions specifically enumerated by Congress in the Joint Resolution authorizing the use of force following September 11.

Third, we include the same sunset clause contained in the PATRIOT Act: December 31, 2005.

Fourth, we make clear that *habeas corpus* is not waived. Article 1, Section 9 of the Constitution requires action by Congress to suspend this right: a President cannot waive it by military order.

Congressional action will contribute to public and international acceptance of the use of military tribunals by making sure they are done right.

In our nation's history, military tribunals have had an important place in our prosecution of war criminals, but always in conjunction with Congressional action. Our legislation ensures the right balance between protecting our Constitutional principles and taking strong action against terrorists, and I urge all of my colleagues to support it.

TRIBUTE TO KATHY NGUYEN

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2001

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to Ms. Kathy Nguyen, a dedicated hospital worker and resident of the Bronx for over 20 years. Ms. Nguyen became an innocent victim of unfortunate circumstances on October 31, 2001 at the age of 61.

Ms. Nguyen has been described as a loyal and caring woman who was well-known and well-loved in her South Bronx community. Like most Americans, I was shocked and saddened to hear of Ms. Nguyen's passing. I had remained hopeful that she would recover when it was determined that she had contracted Anthrax. Ms. Nguyen was a victim of horrible circumstance and while no family members could be located, she continues to be mourned by a host of friends and neighbors who miss her deeply. Ms. Nguyen will be remembered by the entire nation. While each of

the lives lost in the past few months have reminded us of exactly how precious life is, Kathy Nguyen's passing brought home the reality of how vulnerable we all are, whether we are members of Congress, TV personalities, or hospital workers. That is one of the reasons that she will be remembered by the nation for years to come. Mr. Speaker, it is important that she be remembered more than as the first mysterious Anthrax victim, but as a unique and well-loved individual whose presence is missed by many. I am truly grateful for this opportunity to honor her memory.

Mr. Speaker, Ms. Nguyen had encountered adversity more than once in her life. She escaped a war-torn Vietnam in 1975 in search of solace in the United States. She left behind her slain family and friends and began a new life, on her own, in a new country. Ms. Nguyen had been a business woman in her native country, owning and operating a bar in Saigon. The strength and courage this woman must have possessed in order to successfully overcome obstacles in her life are worthy of admiration. Besides Ms. Nguyen's quiet strength, she will be most remembered by her friends and neighbors for being a dear friend. Her friend Gina Ramjassigh was quoted as saying, "Everyone that she touched loved her. She was an aunt to my children and she was the best friend I ever had." Other people who knew Ms. Nguyen have said that she was always reaching out to others.

I ask my colleagues to join me today in honoring a life that was needlessly cut short and in memorializing Ms. Kathy Nguyen.

THE FOREIGN TERRORIST MILITARY TRIBUNAL AUTHORIZATION ACT

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 12, 2001

Ms. LOFGREN. Mr. Speaker, Congresswoman JANE HARMAN and I support our Commander-in-Chief in the fight against terrorism. We agree that we may need to convene military tribunals and the bill that we are introducing today would specifically authorize that.

Article 1, Section 8 of our Constitution provides that Congress shall constitute tribunals inferior to the Supreme Court and that Congress shall make rules concerning captures on land and water in time of war.

On September 11th, international criminals terrorized and killed many innocent Americans. These murderers must face swift and unyielding justice if they are not killed in combat and, if we are going to try combatants on Afghan soil, it is likely that a military tribunal is the right forum.

Congress needs to act so that there will be no question that this is legal.

But, as the Supreme Court pointed out in *Ex Parte Milligan*, 71 U.S. 2, 18 L. Ed. 281 (1866), when courts are operational here in America they need to be used for the trial of criminals. That's why this bill limits tribunals to those being prosecuted abroad. If Osama bin Laden is captured overseas, he will face a military tribunal. If your neighbor is arrested tomorrow in San Jose, he will go to court like